

litigation, study, or any other administrative reason, the agency wishes to retain longer than the scheduled retention period for the records. The removal of records must be accomplished within 90 days of the date of the notification from the Federal records center that the retention period has expired. Agencies that wish to establish an agreement or inquire about their records should write to NARA, Office of Regional Records Services (NR), 8601 Adelphi Road, College Park, MD 20740-6001.

(h) NARA will waive the requirements specified in paragraph (g) of this section when:

(1) The temporary extension of retention period has been imposed by NARA, for instance when NARA plans to re-appraise the archival value of records or when NARA is working on a new or revised General Records Schedule item;

(2) The agency has submitted an SF 115, Request for Disposition Authority, to NARA to request a change in the scheduled disposition of a series of records;

(3) NARA and the agency mutually agree that a temporary extension is required to meet exceptional records management situations such as a NARA-agency screening project to separate permanent from disposable records or application of a new records disposition schedule to previously unscheduled records; or

(4) The administrative cost to NARA to implement a reimbursable agreement would exceed the reimbursement received.

[55 FR 27431, July 2, 1990, as amended at 61 FR 19554, May 2, 1996; 61 FR 24702, May 16, 1996; 63 FR 35829, July 1, 1998]

#### **§ 1228.56 Transfer of permanent records.**

All records scheduled as permanent shall be transferred to the National Archives after the period specified on the SF 115 in accordance with procedures specified under subpart J.

#### **§ 1228.58 Destruction of temporary records.**

(a) *Authority.* Federal agencies are required to follow regulations issued by the Archivist of the United States governing the methods of destroying

records (44 U.S.C. 3302). Only the methods described in this section shall be used.

(b) *Sale or salvage.* Paper records to be disposed of normally must be sold as wastepaper. If the records are restricted because they are national security classified or exempted from disclosure by statute, including the Privacy Act, or regulation, the wastepaper contractor must be required to pulp, macerate, shred, or otherwise definitively destroy the information contained in the records, and their destruction must be witnessed either by a Federal employee or, if authorized by the agency that created the records, by a contractor employee. The contract for sale must prohibit the resale of all other paper records for use as records or documents. Records other than paper records (audio, visual, and data tapes, disks, and diskettes) may be salvaged and sold in the same manner and under the same conditions as paper records. All sales must be in accordance with the established procedures for the sale of surplus personal property. (See 41 CFR part 101-45, Sale, Abandonment, or Destruction of Personal Property.)

(c) *Destruction.* If the records cannot be sold advantageously or otherwise salvaged, the records may be destroyed by burning, pulping, shredding, macerating, or other suitable means.

#### **§ 1228.60 Donation of temporary records.**

(a) When the public interest will be served, a Federal agency may propose the transfer of records eligible for disposal to an appropriate person, organization, institution, corporation, or government (including a foreign government) that has requested them. Records will not be transferred without prior written approval of NARA.

(b) The head of a Federal agency shall request the approval of such a transfer by sending a letter to NARA (NWML), 8601 Adelphi Rd., College Park, MD 20740-6001. The request shall include:

(1) The name of the department or agency, and subdivisions thereof, having custody of the records;

(2) The name and address of the proposed recipient of the records;